

REMARKS

Claims 1 and 3-6, all the claims pending in the application, stand rejected. Claim 1 has been amended.

Claim Rejections - 35 U.S.C. § 102

Claims 1 and 3-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Wegner (6,082,158). This rejection is traversed for at least the following reasons.

In framing the rejection, the Examiner now identifies in Fig. 13 of Wegner the specific elements of the illustrated actuator that correspond to the claimed invention. First, the Examiner points to a rotor 30 and “a lever” (not numbered but having a supporting portion or protrusion 37, which is connected to 36 and 38 via pin 39 and is swingable between first and second positions.

Here the Examiner’s description does not appear to be correct as there clearly are two separately swingable (unnumbered) levers, the levers being swingable on the basis of respective contours on opposite sides of disk 30. Each of the levers controls a respective lever 36 and 38, which share a common axis 39.

Second, the Examiner identifies an engagement mechanism comprising the protrusion 37 and a guide mechanism 32, 33, 34 that makes the lever swing and allows movement of the lever without turning the motor.

This statement does not appear to be correct, as the entire purpose of the guide mechanism is to cause the levers to swing on the basis of movement of the motor. There is no teaching or suggestion in Wegner that there would be any movement without operation of the motor.

Third, the Examiner states that Wegner further discloses the guide mechanism to include a contact portion 32 that comes into contact with the protrusion 37, a guide portion 33 that guides the protrusion to the contact portion and an allowing portion 34 that “allows, when the rotor stops rotating, movement of the protrusion without turning the rotor.” (emphasis added)

This statement also does not appear to be correct, as there is no reason to have the protrusion 37 move independent of the motor being operated and the rotor being turned. The rotor is intended to provide a transfer of operation among the four phases illustrated in Fig. 5,

based on the discussion in Col 6 with respect to Fig. 4. Having the protrusion move without turning the rotor would only lead to damage of the mechanism.

Finally, the Examiner states in his analysis at page 2 that “the rotor always stops at the allowing portion regardless of whether the lever is at the first position or the second position.” (emphasis added)

This statement also is unsupported by any teaching in the patent. There is no reason for having the rotor stop at the allowing portion regardless of the lever being in the first or second position. In fact, it is the rotor that controls the operation of the levers, not the opposite, as the Examiner seems to suggest.

In explaining the rejection at page 2 of the Office Action and in the Response to Arguments at page 3, the Examiner further states that the invention should be distinguished from the prior art by structure rather than function, and that the “allowing portion is claimed in terms of function rather than structure.” The Examiner asserts that Wegner discloses a feature that is “structurally identical to the claimed allowing portion, and is considered to be able to perform the same function” (as claimed). Finally, the Examiner asserts that the “allowing portion” is claimed as an element “that allows...”and that this has no associated structure.

As previously noted, claim 1 defines an actuator having a rotor 12, lever 13, engagement mechanism 31-35 and protrusion 20, and specifies the use of a guide mechanism that allows, when the rotor stops rotating, a movement of the lever without turning the rotor. Again, this structure clearly relates to allowing member 35 having an arc track R. Claim 1 now expressly includes

“an allowing portion that allows, when the rotor stops rotating, the movement of the protrusion without turning the rotor, wherein the protrusion always stops at the allowing portion regardless of whether the lever is at the first position or the second position”

The “allowing portion” is a component of the “guide mechanism” along with the “contact portion” and “guide portion.” These are structural limitations and their function cannot be ignored.

Applicant respectfully submits that the limitation should be interpreted as a “means -plus-function” limitation. Applicant has amended the claim to use the phrase “means for” as the Examiner admits that the language is primarily functional without structural content.

Applicant respectfully submits that the corresponding structure is clear, as already provided herein and in the previous amendment. Specifically, in the case of the present invention, the protrusion 20 always stops at the allowing member 35, thereby making the shape of the groove simple and reducing the production cost of the rotor. In the case of the present invention, even if the protrusion 20 stops at a displaced position on the allowing member 35, it is easy to return the protrusion 20 to the normal position by manually moving the output lever 13.

With respect to the remaining dependent claims, dependent claims 3-5 depend from claim 1 directly or indirectly and further define the slide guide portions and contact portions. Dependent claim 6 specifies the features of a locking lever. The combination of these added structures with that of claim 1 are not found in the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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